

Applicants' specification. Among other things, it is a simulated call from a simulated calling party, ***where no actual call is provisioned*** (emphasis added):

The term "non-associated telephone call" means a simulated telephone call from a simulated calling party (having the same telephone number as the message code) to the real recipient telephone number. In the non-associated telephone call, the caller-identification information for the simulated calling party is communicated (e.g., using SS7) to the recipient telephone number, ***but no actual call is provisioned***.

As the specification further explains, at page 4, it is advantageous to employ a non-associated telephone call, in which no actual call is provisioned, because doing so consumes far less bandwidth than an actual call: "Because data is communicated by setting up a non-associated telephone call ***that does not require provisioning an actual call***, this method consumes little or no call bandwidth on the telephone network." (Emphasis added.)

By contrast, the setup message in Patel is sent in connection with an actual call. Specifically, the setup message is used to provide audible announcement of the identity of an ***actual*** calling party, in connection with an ***actual*** call. This is discussed in further detail in the portion of the reference immediately preceding the portion cited by the Examiner (6:50-7:2; emphases added):

FIG. 2 illustrates another embodiment of the invention. In FIG. 2 the subscriber CPE, 214, is a telephone which supports digital signaling in addition to standard voice telephone calls. In this particular example, the telephone is an analog display services interface (ADSI) device. It should be noted that this implementation also applies to ISDN, Internet protocol, or other digital phones which provide for digital signaling while the phone is on-hook. The example of FIG. 2 is illustrative only. ***At 202 a ring signal or alerting message is sent from switch 215 to subscriber 214 as before. The subscriber device processes this message to produce an alert to a subscriber, such as a ring. However, in this case, an on-hook digital signal is also sent to subscriber device 214. For an ADSI phone, this digital signal is a setup message formatted according to the previously mentioned Telcordia GR-30 standard.*** More details of this signaling will be discussed below. ***The set-up message includes an instruction or instructions to activate an audio call announcement (ACA) feature, which accommodates the audible calling line identification of the invention.***

Thus, there is no disclosure in the cited passage of Patel of setting up of a non-associated telephone call. As noted above, that term has been expressly defined in the specification as pertaining to the situation where ***no actual call is provisioned***. In Patel, the setup message is

Applicant : David J. Luneau et al.  
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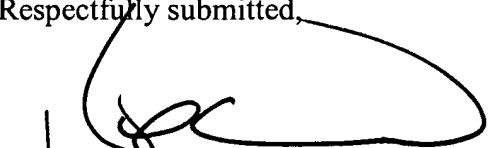
Attorney's Docket No.: 10200-010001

disclosed as being delivered in connection with an actual call, and so does not supply the teaching that is missing also from Albal and Tate.

Applicants therefore submit that all claims are in condition for allowance, which action is requested.

Submitted herewith is a petition for a one-month extension of time (through and including August 26, 2006), together with a check for the required fee (\$60.00). Please apply any other charges, or make any credits, to deposit account 06-1050, reference 10200-010001.

Respectfully submitted,

  
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